**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE JURISDICTION.**

**CIVIL APPLICATION NO.1523 OF 2006**
**IN**
**SECOND APPEAL (ST.) NO.21215 OF 2006**

Chandrakant Tukaram Bharekar and Anr. ...Applicants
V/s.
Pandurang Laxman Nanaware & Ors. ...Respondents

Mr.A.Y. Sakhare, Sr. Advocate, i/b. Y.K.S. Legal, for the Applicants.

Mr.M.V. Limaye, Advocate, for Respondent Nos.1 to 3.

Mr.Y.M. Nakhawa, AGP, for Respondent Nos.4 to 7.

**CORAM: A.S. OKA, J.**

**DATED: NOVEMBER 23, 2007**

**P. C.:**

1. Heard the learned Counsel appearing for the parties. By a separate order passed today, leave to prefer an Appeal has been granted in favour of the applicants. The applicants were not parties to the Suit and Appeal which is the subject matter of the Second Appeal. Initially the applicants filed a Writ Petition which was permitted to be withdrawn by order dated 2-5-2006 with liberty to file appropriate proceedings. In view of the averments made in the application, sufficient cause for condonation of delay is made out.

2. Accordingly, the Civil Application is allowed. Delay in preferring the Appeal is hereby condoned.

3. Place the First Appeal for admission on 13th December, 2007.

4. Ad-interim reliefs granted earlier will continue to operate till 17th December, 2007.

**[ABHAY S. OKA. J.]**